

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 838(M/B) 2003.

Sri Sanjay Kumar S/o Sri Kailash Chandra,
R/o Saaguri Garden, Kaladhungi Road,
Haldwani, Distt. Nainital

Petitioner

Versus

State of Uttaranchal & others

Respondents

Mr. Vijay Bhatt, Advocate for the petitioner,
Mr. N.B. Tiwari, learned C.S.C. for the State.

**Coram: Hon. S.H. Kapadia, C.J.
Hon. Rajesh Tandon, J.**

Dated: 12.09.2003:

PC:

Being aggrieved by the fixation of retail price by the Government from 1.5.2003, this petition has been filed on the ground of violation of rules of natural justice.

The petitioner has applied for allotment of liquor shop pursuant to the Circular dated 22.04.2003. The application was made on 25.04.2003. On 30.04.2003 allotment was made. However, the retail price was not fixed by the Government. The retail price has been fixed by the impugned order dated 23.7.2003. It is the case of the petitioner that they have sold liquor during the months of May and June on ad-hoc price. In the petition, there is no averment as to the rate on which the petitioner sold the liquor. From the correspondence, it is clear that at the time when the allotment was made, the rate of the retail price was not indicated. However, the rate has now been fixed from 1.5.2003. It is for the entire year. In the circumstances, we do not wish to intervene in this writ petition.

Since the numerous petitions of this nature are being filed before this Court, the Government may consider the representation made by the business from time to time in this regard. This is just by way of recommendation.

The petition is rejected.

(Rajesh Tandon, J.)

(S.H.Kapadia, C.J.)

AK.